

HOUSE BILL No. 1316

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-16.

Synopsis: New Harmony bridge. Requires the state to enter negotiations to purchase the bridge crossing the Wabash River on State Highway 66. Authorizes the Indiana finance authority to accept the conveyance of the bridge and to: (1) operate and maintain the bridge; or (2) contract with the department of transportation to operate and maintain the bridge.

Effective: July 1, 2006.

Van Haaften

January 10, 2006, read first time and referred to Committee on Roads and Transportation.

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Introduced

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1316

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-16-1-18 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18. (a) A special and
3 distinct fund is created to be known as the Indiana interstate bridge
4 fund. Such fund shall be:

- 5 (1) held in the name of the authority; and
6 (2) administered by the authority.

7 All expenditures therefrom shall be made by the authority.

8 (b) Except as provided in section 15 of this chapter, expenditures
9 from the fund shall be made only for the purpose of:

- 10 (1) paying the cost of constructing or acquiring, by purchase or
11 condemnation, highway bridges and the approaches thereto,
12 which may be constructed or acquired by authority of this chapter
13 **or acquired under IC 8-16-15;** or
14 (2) paying the cost of **maintaining**, enlarging, extending, or
15 improving any such bridge or the approaches thereto.

16 The costs specified in subdivisions (1) and (2) shall include the
17 expense of all engineering, architectural, legal, and other expert service

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rendered to the authority and other preliminary and incidental expenses. Such payments may be made as such costs are incurred or such services rendered.

(c) Any income from such fund or any part of the principal not pledged to the payment of bonds issued by the authority may be used for the purposes set forth in section 4 of this chapter, and the fund shall be reimbursed for any such expenditures out of the proceeds of any bonds issued for the construction or acquisition of any bridge on account of which such expenditures were made.

SECTION 2. IC 8-16-1-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 26. (a) This section applies only to a bridge that:

(1) was constructed under this chapter **or was acquired under IC 8-16-15;** and

(2) crosses the Wabash River.

~~(b) Notwithstanding any other provisions of this chapter, a bridge subject to this section does not become a part of the system of state highways free of tolls or a tollway under IC 8-15-3 when bonds are retired and all funds fully reimbursed.~~

~~(c)~~ (b) Money collected for the use of a bridge subject to this section shall be allocated to the authority and used for the following purposes:

(1) Operation of ~~the a~~ toll bridge facility **described in subsection (a).**

(2) Maintenance of ~~the a~~ toll bridge facility **described in subsection (a).**

(3) A reserve fund for future toll bridges over the Ohio River to be located within the same county in which the bridge subject to this section is located.

SECTION 3. IC 8-16-15-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. Subject to the provisions of this chapter **and IC 8-16-1,** the ~~department is hereby authorized and empowered to~~ **Indiana finance authority shall** enter into negotiations with the proper authority having control of the state highways of the state of Illinois and with the owners of the bridge ~~which that~~ spans the Wabash River and over which State Highway No. 66 passes from ~~this state~~ **Indiana** into ~~the state of~~ Illinois for the purpose of acquiring the ownership of and title to ~~such the~~ bridge jointly, ~~by the state of Illinois and in the name of~~ the state of Indiana.

SECTION 4. IC 8-16-15-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) If the proper authorities of the state of Illinois are empowered by the laws of the state of Illinois to enter into ~~such~~ negotiations ~~and if the department~~

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1 and the authority having charge of the state highways of the state of
 2 Illinois can agree with the owners of such bridge on the purchase-price
 3 of such bridge; then and in that event the department is hereby
 4 authorized and empowered to acquire the ownership of and the title to
 5 such bridge; jointly, with the state of Illinois; to pay not to exceed fifty
 6 percent (50%) of the purchase-price agreed upon; out of any funds
 7 appropriated to the department which might otherwise be used for the
 8 construction of bridges; and ~~to~~ **for the conveyance of the bridge**
 9 **described in section 1 of this chapter, the state of Indiana acting**
 10 **through the Indiana finance authority shall accept the conveyance**
 11 **of the land, bridge, other improvements, and assets of the owners**
 12 **of the bridge.**

13 **(b) The state of Indiana acting through the Indiana finance**
 14 **authority may** enter into ~~such~~ agreements with the proper authorities
 15 of the state of Illinois as may be fair and equitable for the repair,
 16 maintenance, and upkeep of ~~such the~~ bridge and to expend ~~such~~
 17 ~~amounts of the money as may be necessary to maintain such the~~
 18 bridge.

19 **(c) After acquiring the bridge described in section 1 of this**
 20 **chapter, the Indiana finance authority may:**

- 21 **(1) operate and maintain the bridge under IC 8-16-1; or**
 22 **(2) contract with the Indiana department of transportation to**
 23 **operate and maintain the bridge.**

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